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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/577,570	05/25/2000	Gunther Kolle	P19311	6334

7055 7590 10/23/2002

GREENBLUM & BERNSTEIN, P.L.C.
1941 ROLAND CLARKE PLACE
RESTON, VA 20191

EXAMINER

HALPERN, MARK

ART UNIT	PAPER NUMBER
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1731

DATE MAILED: 10/23/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

4211

Office Action Summary	Application N .	Applicant(s)	
	09/577,570	KOLLE, GUNTHER	
	Examiner	Art Unit	
	Mark Halpern	1731	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- 1) Acknowledgement is made of Appeal Brief received 8/5/2002, Paper No. 10.
- 2) The finality of Office Action of 2/1/2002, Paper No. 6, is withdrawn in view of the Appeal Brief and upon reconsideration of art in the prior art.
- 3) Claims 1-28, rejection under 35 U.S.C. 103(a) as being unpatentable over Paraskevas (4,480,796) in view of Zugelder (3,608,976), is withdrawn in view of the arguments presented in the Appeal Brief.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- 4) Claims 1-2, 6-8, 10-16, 18-22, are rejected under 35 U.S.C. 102(b) as being anticipated by Akio (3,304,056). Akio discloses a turbine blade having a leading front surface. The leading front surface has the back of an anti-wear stellite plate soldered or attached by fusion to it. The plate is made of a cobalt-tungsten-chromium alloy, and the plate is for erosion protection. The stellite plate may be made of other erosion resistant alloy metal. The plate protrudes past the leading front surface of the blade at angle of less than 45 degrees, has a beveled surface and is of cylindrical and conical shape (col. 1-3, and Figures 1-5).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5) Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Akio in view of Stoffer (3,365,126). Akio is applied as above for claim 1, Akio fails to disclose that the leading front surface of a blade is completely covered by an anti-wear element. Stoffer discloses a leading front surface of a rotor blade completely covered by an anti-wear element (col. 2, lines 53-68, col. 4, lines 4- 73, and Figures 4, 5). It would have been obvious, to one skilled in the art at the time the invention was made, to combine the teachings of Akio and Stoffer of completely covering the leading front surface of the blade with anti-wear element, because such a combination would extend the erosion protection and thus increase the life of the blade in the Akio design.

6) Claims 3-5, 17, 23-28, are rejected under 35 U.S.C. 103(a) as being unpatentable over Mannes (5,509,536) in view of Akio.

Claims 3, 17, 23: Mannes discloses a paper fiber processing apparatus that includes a tank 1, a screen 3', and a rotor with at least one blade 7' rotatably coupled adjacent to said screen. Stock suspension is circulated in the tank. Mannes fails to disclose having the leading front surface of the rotor blade protected by a wear resistant element (col. 2, line 34 to col. 3, line 62, and Figures 1-5). Akio as in item 4 above, discloses a rotor having at least one blade and having its leading front surface protected

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by a wear resistant element. It would have been obvious, to one skilled in the art at the time the invention was made, to combine the teachings of Mannes and Akio, because such a combination would provide wear protection of the rotor thus extend the life of the apparatus of Mannes.

Claims 24-26 are disclosed by Akio in item 4, above.

Claims 4-5, 27-28: the apparatus of Mannes is a pulper.

Conclusion

7) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Halpern whose telephone number is 703-305-4522. The examiner can normally be reached on Mon-Fri, (9:00-5:30).

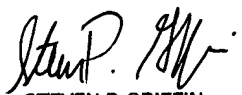
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 703-308-1164. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7718 for regular communications and 703-305-3599 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0651.

MH

Mark Halpern
Patent Examiner
Art Unit 1731

October 16, 2002


STEVEN P. GRIFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700